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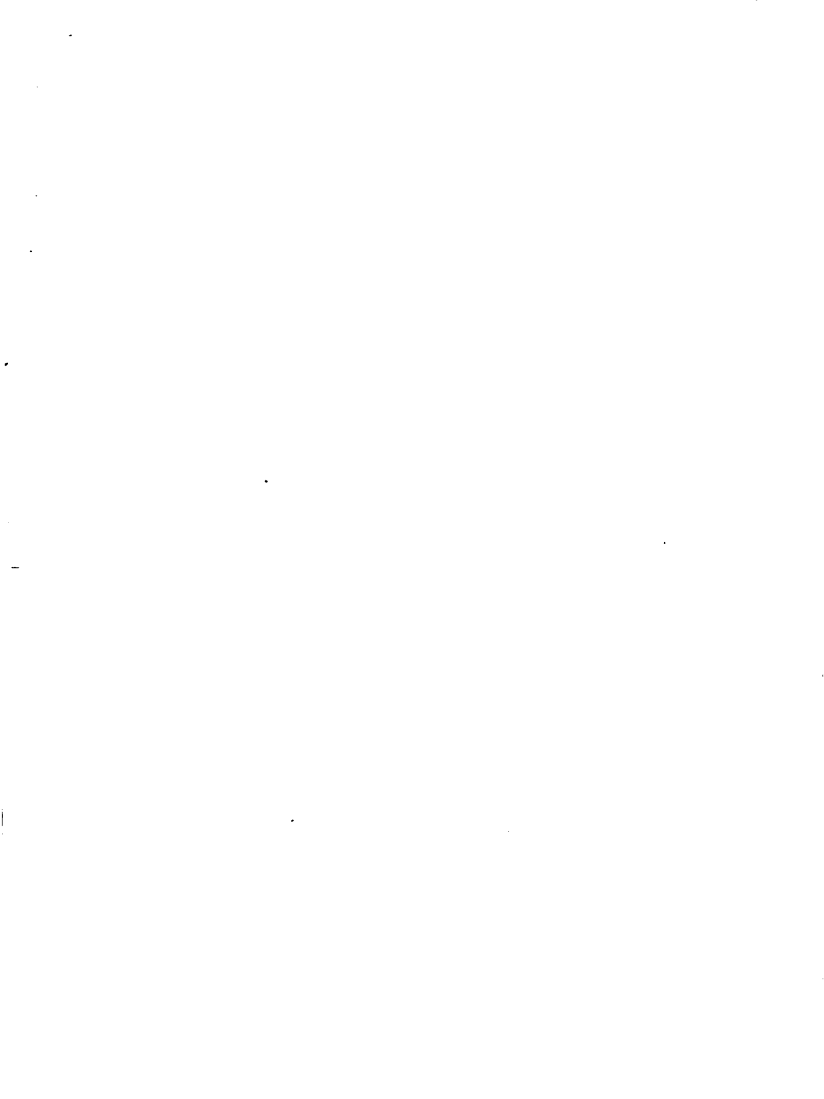
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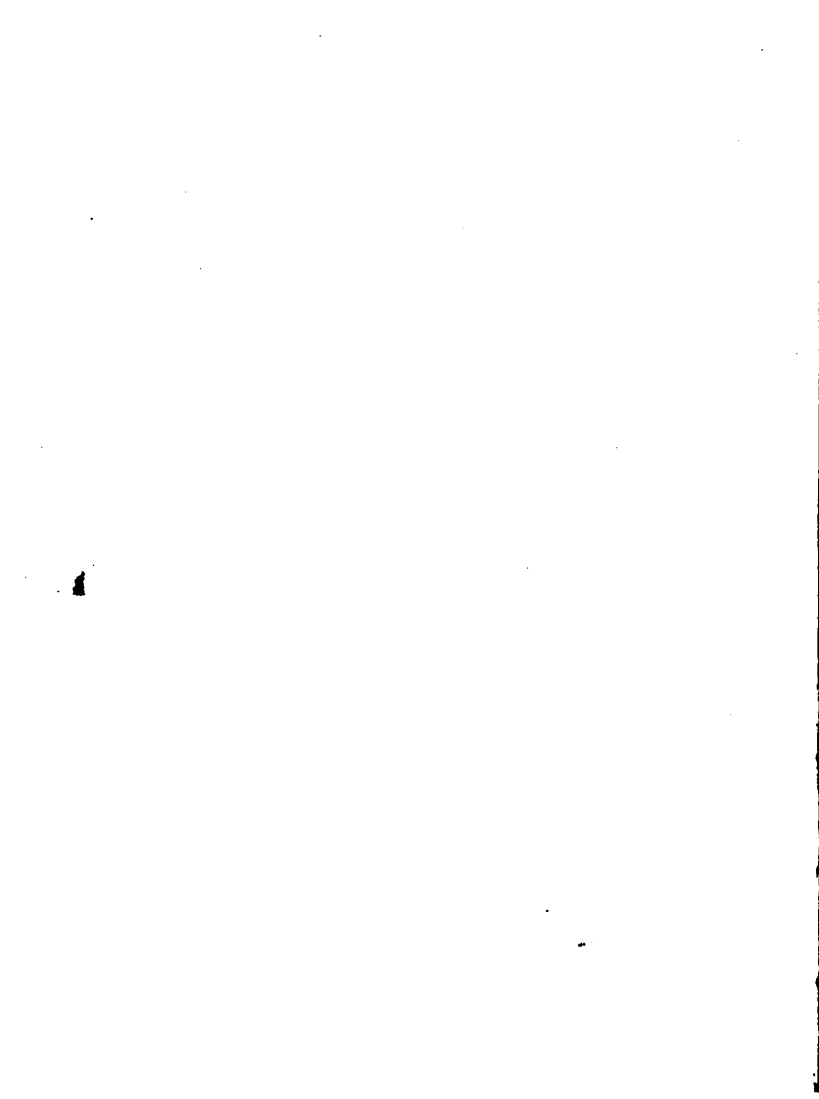


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SHATTUCK'S ADVANCED RULES

FOR LARGE ASSEMBLIES

A SUPPLEMENT TO

THE WOMAN'S MANUAL OF PARLIAMENTARY LAW

BY

HARRIETTE R. SHATTUCK

BOSTON

LEE AND SHEPARD PUBLISHERS

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Cambridge*

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SHATTUCK'S ADVANCED RULES.

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PREFACE

THE aim of this book is to supplement "The Woman's Manual of Parliamentary Law," by providing, in a condensed form, a *résumé* of parliamentary principles and rules for the especial use of advanced students and large assemblies.

While the former book gives all the information necessary for the usual conduct of meetings, and clearly exhibits the principles and practice of parliamentary law by illustrations in dialogue form and by explicit explanations, the present manual is limited to the bare definitions and rules, with slight amplification ; in other words, it contains only what will be most useful to a presiding officer, or to a member of an assembly who is experienced in the elementary procedure, and who may need a summary of facts concisely stated and ready at hand.

This manual also includes, in addition, a tabulated list of all the motions and questions in common use, with the limitations upon them, and explanations of the somewhat perplexing "privileged," "subsidiary," and "incidental" questions. These are not given in "The Woman's Manual," as the purpose of that book is better served by the illustrations. There is also included a list of special rules with explanations.

On a few questions, a different and more strict ruling is prescribed; and wherever the two books seem to conflict, the ruling herein is to be considered as the superior. Societies, therefore, that have adopted, or that may adopt "Shattuck" as their authority, can use this manual as supplementary, the "Rules" being conclusive, as against "The Woman's Manual," when there is any apparent or real inconsistency. Large organizations would better adopt the "Rules" as authority, and use the "Manual" as supplementary.

The references in brackets are to sections in "The Woman's Manual," where the subject is amplified and illustrated.

The author wishes to acknowledge the valuable hints received from Hon. Thomas B. Reed's "Parliamentary Rules," and also the kindly and helpful criticism of Mrs. Urquhart-Lee of Chicago.

H. R. S.

MALDEN, MASS., January 1, 1898.

**ARTICLE TO BE ADDED TO THE CONSTITUTION OF
ANY SOCIETY WISHING TO ADOPT "SHATTUCK'S
ADVANCED RULES " AS AUTHORITY : —**

**All meetings of this organization shall be conducted
in accordance with the principles of parliamentary law,
" Shattuck's Advanced Rules " being the authority.**

**VOTE TO BE PASSED IN ADOPTING THIS MANUAL
FOR USE IN A TEMPORARY ORGANIZATION : —**

**The principles of parliamentary law as set forth in
" Shattuck's Advanced Rules " shall govern the pro-
ceedings in this assembly.**

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CHAPTER I

FUNDAMENTALS

1. **Definition.** Parliamentary Law may be defined as the science of conducting the meetings of deliberative bodies. It consists of those usages of legislative and other assemblies which, by long practice and experience, have become generally approved. It is not fixed nor arbitrary, but is in process of development. No one authority is final; and, since all the recognized works on the subject differ from one another on certain details, a given society should adopt some manual for its own guidance. In the absence of such recognized authority, general parliamentary usage governs.

2. **Object.** The object of parliamentary law is the fair, orderly, and speedy transaction of business, so that the will of the majority shall be ascertained and expressed.

3. Principles. The six principles which underlie all practice are justice and equality, order and speed, the right of the majority to rule and the right of the minority to be heard. All forms should conserve these principles. They constitute the "spirit" which gives life to the "letter" — or forms of procedure.

4. Authorities. Besides its authority in parliamentary law, a permanent organization has its own constitution and by-laws (or organic law) and, if necessary, its own special rules. Authorities take precedence as follows: the organic law, the special rule, the special parliamentary authority, the general usage. If incorporated, its statute and papers of incorporation are superior to all else, so far as they apply.

5. Special Rules. Legislatures are governed almost exclusively by their own "rules," adopted at each session and based on general usage. But other organizations need have only such rules as are necessary to supply what their chosen authority lacks. Temporary assemblies, in absence of an accepted authority, may adopt

temporary rules ; or they may be governed by general usage, in which case the presiding officer is the authority. Where the special rule and the parliamentary usage conflict, the former governs. [243-245.]

6. Conflicts. When there is a conflict of opinions, and no authority on the point in question, the presiding officer decides the point, subject to an appeal and the vote of the assembly. Such points, however, must be decided immediately. If no objection is raised at the time, the point is presumed to have been correctly decided, and is not afterward subject to appeal.

CHAPTER II

ORGANIZATION

7. Kinds of Organizations. Besides such assemblies as are constituted by law (legislatures, municipal councils, etc.) there are: 1. temporary meetings, either for an expression of opin-

ion or to organize for a purpose; 2. meetings of societies already permanently organized, with a definite plan of work; 3. meetings of committees formed by, and dependent upon, some superior body.

8. Methods of Assembling. The temporary meeting is convened by means of a public call or by invitation. All who respond constitute the meeting. [3.] The permanent organization has a stated time and place of meeting prescribed in its by-laws. The committee meeting is convened by its chairman, or by the one who stands first on its list, or the time and place of its session may be ordered by its superior body.

9. The Quorum. The number whose presence is requisite for the legal transaction of business is called "the quorum." In a temporary meeting the question of a quorum does not arise, those present being the competent number. In a committee, unless otherwise provided by the superior body, the quorum is a majority of the membership. In a perma-

nent organization, the quorum is also a majority, unless some other provision is made. There should therefore be a provision that the quorum shall be a certain number, and this number should be small enough to ensure the transaction of business. [21.]

No business can be done without a quorum, except to decide upon a future date for reassembling, and to adjourn, or to take a recess, to that date.

A meeting is not called to order until a quorum is present; but, once in progress, it may go on until some member "raises the question of no quorum," the principle being that a quorum is presumed to be present if no one raises the question. [23.] The presence of a quorum is ascertained by a count, taken by the chairman, or by tellers, or by the roll-call. In small meetings, or where no objection is made, the chair, or some member or members appointed by the chair, takes the count; the roll-call for this purpose is necessary only in large assemblies, and is ordered by motion and vote.

[72.] It has been decided by the United States Supreme Court that the ascertained *presence* of the requisite number is sufficient to establish the quorum, regardless of whether or not they have responded to a roll-call.

10. Temporary Organization. No business can be done until the assembly is organized. A temporary meeting is organized by the choice of a chairman and a secretary, these being absolutely necessary; other officers may be added. These officers are chosen by nomination from the floor and by *vivâ voce* vote; or by ballot, if so voted. Some responsible person calls the meeting to order and asks for nominations for chairman, receiving as many names as the meeting desires to present, and putting them to vote, one by one, in the order nominated, until one of them receives a majority. [5, 6.] No one person can make more than one nomination for one office. The person elected then takes the chair, and the meeting proceeds to elect a secretary in the same way. [8.]

At any time before the voting begins, a mo-

tion may be made to choose the officer by ballot. The ballot ensures secrecy, and is desirable whenever there is a prospect of conflict. [15, 73.]

11. Permanent Organization. Temporary organization having been effected, permanency is secured by the choice of permanent officers and by the adoption of a statement of objects and methods in the shape of a constitution, or by-laws, or both. These constitute its organic law. The permanent officers assume their duties as soon as elected, and continue to serve until the close of the meeting at which their successors are chosen. [10.] *See section 18.*

12. Delegate Bodies. A temporary meeting, consisting of delegates from permanent bodies (as a political nominating convention), having organized temporarily, first ascertains the validity of its delegates' credentials, and then effects its permanent organization and transacts its business. A meeting of a society already permanently organized, which consists of delegates from auxiliary organizations, when as-

sembled "in convention" first ascertains its membership by proving the validity of the credentials, and then proceeds to do its work by means of a programme already prepared and announced by its properly accredited officers under authority of its constitution. The officers are elected at one convention for service at the following one. Credentials are passed upon by a committee, whose report is submitted to the convention for approval.

13. Committees. A committee formed for a temporary purpose is organized in the same way as a temporary meeting, except that in small committees the chairman may also serve as secretary. A permanent, or standing, committee is organized in the same way as a permanent organization. Being a dependent body, a committee can make no rules for itself, unless authorized by the parent society. A committee elects its own chairman, unless its chairman has been specified. [9.]

14. The Officers. The usual officers of a permanent organization are a president, one or

more vice-presidents, a recording and a corresponding secretary, a treasurer, one or more auditors, and such directors and standing committees as are needed. A president and a recording secretary are compulsory, as there must be one to conduct, and one to record, the acts of the organization.

In small societies, the business is best done in executive meetings of the whole body, thus unifying the interest. [12.] In very large bodies, boards of directors are often indispensable. It is the duty of directors to carry out the legitimate objects of the society, as stated in its organic law. Any special duties should be defined in the by-laws, and provision there made for periodical executive meetings of the whole membership, when the powers of the directors may be limited, if necessary.

It is well also to prescribe some limit of time beyond which no one person can hold the same, or any, office. This is especially desirable in societies for mutual improvement. It is more necessary to thus "rotate" certain officers than

others, as, for instance, the president, vice-presidents, and directors, rather than the secretaries and treasurer. [13.]

Provision may also be made for honorary officers; or, in absence of provision, these may be elected by unanimous consent. But honorary officers should not be chosen indiscriminately or in large numbers. Only a person who has in some way done honor to the association or to the community should be thus noticed, and it is better to make such a person an honorary vice-president rather than an honorary president. An honorary officer has no rights (such as presiding, voting, etc.) and no duties; but is entitled to the privileges of the association (such as attendance, debate, etc.) without payment of fee, unless otherwise prescribed.

In selecting an officer, the criterion should be fitness for the position (as executive ability, experience, and interest in the work), and not social position, wealth, "a fine presence," or any other superficial quality.

15. **Elections.** The principle that underlies all elections is the right of the voter to a secret expression of opinion. The only method which secures this is the ballot. Officers may be voted for, one by one, by means of written slips, or all together on one ballot previously prepared. The voting is done either by the "Australian system," which consists of marking a cross against the names of the chosen candidates, without erasing any names, or by the ordinary method of "scratching" the names not desired, leaving those chosen, or writing in new names if necessary. Two or more "tellers," appointed by the chair or elected by the assembly, collect, assort, and count the votes, tabulating the number each person has received for each office. They then report the result, giving the whole number of votes cast, the number necessary for a choice (which, in absence of a rule to the contrary, is the majority), and the number of votes each candidate has received. This is done for each office, one by one. They then hand this written result to the chairman, who declares those

of the candidates who have received the requisite vote, "to be elected." This declaration is final; an election cannot be reconsidered, although in a case of evident doubt, when the contest is very close, there could be one recount. In case no candidate for a given office has received the requisite number of votes, further ballots are taken until some one is elected.

Discussion of the claims of candidates is in order at any time before the balloting begins. [14, 16.]

Elections should always be by ballot, unless specially provided otherwise. An informal ballot for nominations may, however, when its result is practically unanimous, be followed by a motion to elect by acclamation. This motion requires unanimous consent. A motion that "one ballot be cast for the whole" is not in order, since its decision violates the secrecy of the ballot. It is allowable only by special rule. The same is true of the practice of "making an election unanimous," when it is not unanimous. "It has no parallel in parliamentary pro-

cedure," as Mr. Crocker says, and is out of order, therefore, as well as absurd.

16. Rule by the Majority. The majority is more than half of the whole number; the plurality is the largest one of two or more numbers. On all questions, decision is by the majority, unless, by *proviso* in the organic law, or by special rule, a larger or a smaller number is prescribed. Election by plurality is not desirable in ordinary organizations. [17.]

17. Nomination of Candidates. Every society should prescribe its own method of nominating its officers, and such method must be strictly adhered to, provided, however, that no prescribed method can preclude the making and receiving of other nominations, following the announcement of the regular nominees, and before the voting begins. Candidates are nominated by a committee, by an informal ballot, or by open nominations from the floor; and these methods may be limited, qualified, or combined in any way that a given society chooses. The end in view should be freedom of choice and

care in selection. The nominating committee is the most careful; the informal ballot secures the fullest expression of opinion. The former method should be qualified by safeguards against favoritism and the "fear of giving offence"; the latter method should be guarded with provisions against hasty final action, for lack of time. The consent of the candidate should, if possible, be ascertained before the nomination is announced, and no one should accept a nomination, even tacitly, except with the intention of holding the office if elected. [15.]

At any time preceding an informal ballot for nominations or a formal ballot for election, a motion may be made "to open nominations," and, if this is carried, nominations may then be made from the floor, and these nominees will be candidates in addition to those otherwise nominated. During the process of nominating from the floor a motion may be made "to close nominations," and this, if carried, will preclude further nominees. If all the nominees decline, there is a further motion "to open nominations."

A ballot for officers may be taken without nominations, if desired. In this case, each voter writes upon a slip the name of the person desired for each office. The officers may be voted for singly or *en masse*, as decided by previous vote. If any person fails to receive the requisite number of votes, further ballots are taken until some one is elected. This method works well in small assemblies, and it secures perfect freedom of choice.

18. Constitutions, By-Laws, and Special Rules. The articles of the constitution should contain a statement of the name and object of the society, the offices, the conditions of membership, the fees, the number of meetings, the quorum, the parliamentary authority, and provision for amendment.

The by-laws properly contain matters of detail, such as the day and hour of meeting, the powers and duties of officers and committees, the powers of directors, as distinguished from the powers of the organization at large in executive session, the nature of the work and of the meet-

ings, etc. In small organizations, with little need of machinery, both these instruments can be combined in one, the details being omitted, and supplied from time to time, as needed, by special rule or by vote. There must, however, always be an article or articles providing for the amendment of both these instruments, and such prescribed provision must be strictly adhered to. This should contain some provision for previous notice of the proposed amendment, and should provide that such amendment require a vote larger than that of the majority. Usually a two-thirds vote is required. In absence of a rule to the contrary, the same amendment can be repeatedly offered, provided that the required notice is given. When a committee is appointed to revise a constitution, the report of that committee is the "notice" of amendment, unless some other provision for notice has been made.

The "special rules," or "regulations," of a society properly contain provisions regarding methods of procedure or minor details. Any item

which it may be desirable to "suspend" at times, is better made a rule rather than a by-law. Among the special rules should be one providing for the amendment of such rules.

It seems almost superfluous to add that only the body which has adopted a constitution and by-laws, or a rule, can amend or add to the same. They are not subject to action by any subordinate body. Neither is it proper to give to any subordinate body the power to withhold, from the society at large, an amendment which has been submitted to it for approval. *See sections 127 and 128.*

19. Regular and Special Meetings. The regular meetings of an organization are those held at the prescribed time, and of these no notice is necessary. With special, or irregular meetings, it is different. There must be a prescribed method of calling a special meeting, all the members must be notified, the business must be specified in the call, and no other business of importance can be transacted.

An "adjourned" meeting is one which is a

continuation of another by adjournment or recess from that other. Of this meeting, absent members should be notified.

CHAPTER III

RIGHTS AND DUTIES OF MEMBERS

20. The Presiding Officer. The chief officer of an assembly is the one who presides over and conducts its proceedings. The title "chairman" is used in temporary gatherings and "president" in permanent societies. A person should be selected as presiding officer who understands enough parliamentary law to meet the requirements of the assembly, and who has that spirit of fairness which ensures the enforcement of the will of the majority without injustice to the rights of the minority. A good presiding officer is characterized by force of will, sincerity of purpose, and absolute non-partisanship. Such a president is the servant, not the master, of the assembly; and the servant of the whole body

and not of any party thereof. The natural tendency of a presiding officer toward arbitrary power should be discouraged and, if necessary, specifically limited. [25, 26.]

The president has the same right to speak and to vote as any other member; the former right, however, is exercised only on extraordinary occasions, and the latter rarely, except in voting by the roll-call or by ballot. When there is a tie vote it becomes the president's prerogative to cast the deciding vote. [70.] A president has no *ex officio* right to serve on committees.

It is the duty of the chair:—

To call the assembly to order at the prescribed time, and to ascertain the presence of a quorum.

To see that the record is read, corrected if necessary, and approved.

To conduct the proceedings according to the prescribed order of business.

To preserve order and to decide questions of order.

To state all questions that are in order, and to see that an opportunity is given for debate,

amendment, and any other action that the assembly desires.

To answer parliamentary inquiries.

To secure the floor to the member who seems to be entitled to it.

To call for reports of committees and to call up special assignments at the proper time; and, in brief,

To assist the assembly to transact its business as speedily as is consistent with fairness and correctness. [25, 26.]

21. The Vice-President. The rights and duties of the vice-president being the same as those of the president, this officer should not be a mere figure-head. Neither should there be so many vice-presidents that no one person feels the responsibility of the office. [28.]

22. The Secretary. The second officer of importance is the clerk, or recording secretary, whose duties are:—

To make a full and exact record of all votes which are taken, and to see that this record is approved by the assembly.

To record such portions of the debate as the assembly may have ordered.

To take down motions when presented, and to help the chair to keep business in order.

To notify committees of their appointment and of the business referred to them.

To take charge of papers and to keep them in order and at hand.

The secretary has the same right to speak and to vote as any other member.

23. Duties of the Members. These duties may be summed up in the one word "coöperation." The members should coöperate with the president by promptness in attendance, by preserving order, by transacting their business speedily and properly, by debating with decorum and without personalities, by refraining from factious motions, by observing the rules of the society and the forms of parliamentary usage, and by abiding by the voice of the majority. It is the duty of members to vote, when clear as to their convictions.

24. Vacancies and Removals. In the tempo-

rary absence of the president or secretary, an officer *pro tempore* is elected. A vacancy by resignation or removal is filled by a new election, in absence of other organic provision. Removals from office may be made by a majority vote by ballot, opportunity having been given for defence. Removal should be employed only in extreme cases.

It is well to provide in the by-laws for the filling of vacancies by some subordinate body, since it is often difficult to convene the whole society. The officer elected to fill the vacancy holds the office until the time for the regular election of officers. A newly created office is not a "vacancy"; this must be filled by the parent body, or by its order; an officer *pro tempore* may, however, in extreme cases be chosen to hold the position until a meeting of the organization can be convened. It should go without saying that only the organization at large can *create* an office.

CHAPTER IV

CONDUCT OF BUSINESS

25. Order of Business. In absence of a prescribed order of business, any motion is in order after the record is approved, and each motion is disposed of, at least temporarily, before another can be presented. All permanent societies should have a regular order of business by which to govern proceedings, and thus preclude the introduction of new matter until the regular business is disposed of. This order can be permanent or temporary, according to the needs of the assembly. Having been adopted, it is the duty of the president to see that it is strictly followed; but, by motion and majority vote, the order may be interrupted and an item not in regular order considered, by means of the motion "to take up a measure out of its order." Each assembly will adopt that order of business which best suits its needs. The following will serve as a guide:—

24 *SHATTUCK'S ADVANCED RULES*

1. Call to order.
2. Reading and approval of the record.
3. Announcements.
4. Reports of committees.
 - (1) Special.
 - (2) Standing.
5. Unfinished business.
6. Special assignments.
7. New business.
8. Adjournment.

26. Routine Business. The reading and approval of the record and the adjournment are the two items which must always be included. These, with such reports of committees as require no action, and any other items which are mere matters of routine, may, in the absence of objection, be decided without regular motion and vote, general consent being assumed. [19.]

27. The Record. The secretary's minutes of the votes passed at one session are read at and approved by the following session. Before approval, opportunity must be given for the correction of any possible error, and in case the

correction is not made from the floor, the chair must make it. If the secretary does not indicate that the error will be corrected, a motion is made "to amend the record" in accordance with the proposed change, and if there is a majority vote for the amendment, the record must be so amended. Since the record is the legal evidence of the proceedings of the society, it must be correct. When there is any question regarding its correctness, it is better to have a motion "to adopt the record" rather than to assume its adoption by general consent.

The reading of the record may be postponed from one meeting to the next by a majority vote on a motion to postpone, but its reading cannot be entirely dispensed with, except by a unanimous vote, and no vote that was passed can be omitted or "expunged" from the record, without unanimous consent. [19, 28.]

28. Orders of the Day. In legislatures, items of business which are specially assigned to a certain day, or definitely postponed from one session to another, are called the "orders of the

day." These take precedence in their order of assignment, and include bills, resolves, reports of committees, unfinished business—anything that specially belongs to that day. If a matter has been assigned to a certain hour of the day, when that hour comes, the order must be considered, to the interruption of any other pending business. The use of the term "orders of the day" in assemblies other than legislative is an unnecessary complication, as the items included under that designation can better be arranged in an order of business similar to that suggested in *section 25*. If it is desired, however, to use the term "orders of the day," the items in the order of business which would come under that head are: unfinished business, special assignments (or matters postponed), the reports of such committees as were instructed to report at that time, and any other business which specially belongs to that particular meeting. When any member wishes an item in the order of business to be considered before another which is above it in the regular order, a motion is made

"to take up the question of — instead of the one in regular order."

29. Introduction of Business. All business is originally brought before an assembly by means of a "motion," which may be defined as a proposition that the assembly take some stated action on some stated subject. This proposition may also take the form of a resolution or an order, the purpose of the former being the expression of sentiments or convictions, and of the latter, instruction or investigation. Only members have a right to present business.

In the process of arriving at action by means of motions, there are three stages: 1. The placing of the motion before the meeting; 2. its consideration; 3. its decision; or again, (1) the motion, (2) the debate, and (3) the vote.

30. The Motion. An assembly cannot debate or vote upon any matter until it has been regularly presented by means of the motion. Having been made by the member, and stated by the chair, the motion is then before the meeting for debate and vote. A motion begins

with the words "I move that." This proposition that the assembly take certain action is called the "main question." It must be put in writing at the request of the chair or of the secretary, and is to be repeated on request of any member. A new main question may be offered at any time when no other is pending. [30-34.]

31. Seconding the Motion. A second to every principal motion is prescribed by the various authorities in parliamentary law, this rule proceeding from the assumption that a measure not seconded has only one supporter, and so ought not to take up the time of the assembly. In practice, however, the custom is gradually falling into disuse, as the principle is becoming gradually recognized that any one person has a right to present a proper motion, unrestrained by the necessity of previously securing a seconder. As the senior United States senator from Massachusetts says: "In most bodies of dignity and importance, a second to a motion is not required." As the author believes that a proper

motion should not be suppressed for the lack of a second, the rule herein prescribed is as follows: *the chairman may require a second to any or all motions, but is not to be deemed out of order for omitting to do so, except in the case of undebatable motions.* There are certain motions which are not seconded, even when seconding is made compulsory. These are: the question of consideration, the filling of blanks, to divide and to withdraw a motion, to take up the orders of the day, to read a paper which is under consideration; also, questions of privilege and of order.

32. Rules for Debate. After the motion has been properly placed before the meeting, the second stage of the process is in order, namely, the debate. Properly speaking, debate consists of spoken remarks, and not of reading a paper or lecture. These remarks should be as concise as is consistent with the making of the desired argument; they must be relevant to the subject and impersonal in their tenor.

Every question must be given full opportunity

for discussion, but, since the time of the assembly should be protected, and the rights of *all* to debate must be secured, it is necessary to prescribe certain rules to subserve these ends. These are as follows:—

No member may speak more than twice upon the main question, or upon any amendment thereto, if objection is raised.

No member may speak more than once upon any dependent question, without obtaining unanimous consent therefor.

When two members rise at once, the chair shall recognize the one who has not already spoken.

In the absence of special rules, the length of a speaker's remarks is unlimited. It is often necessary, therefore, to adopt a special rule limiting the time. Such a rule is suggested in *section 130*. For temporary use, the incidental motion "to limit the speaker's time" will serve the same purpose.

The following questions are undebatable: the privileged motions to fix the time for reassembling and to adjourn; the question of considera-

tion; the motions to lay upon the table and to take from the table, and the following incidental questions: the withdrawal and the division of a motion, the motions to close, to limit, and to extend debate, to open or to close nominations, to read a paper, to receive a report, to suspend a rule, to take up a question out of its order, to decide upon the method of voting, to go into committee of the whole; also, any matter that interrupts an undebatable question, and the reconsideration of the vote upon an undebatable question.

33. Decorum in Debate. A member is not entitled to speak until certain forms have been observed. These are: rising, addressing the chair, waiting for recognition by the chair. The chair must "give the floor," by calling the member's name, before the member can begin to debate. Debate is confined to the motion before the meeting, although considerable liberty is allowed in this matter. When an amendment which is under discussion necessarily involves the main question, the latter is

also open to debate. The motions to indefinitely postpone and to reconsider open up the main question for debate.

34. Disorderly Debate. A member becomes out of order by indulging in invective or in remarks which impugn motives, by wandering from the question, by using improper language, or by failing to observe parliamentary forms. It is disorderly to speak directly to a member instead of through the chair, or to address a member by name instead of by title or office. When any of these rules are broken, the chair calls the member to order, or another member may "rise to a question of order." The disorderly member must then proceed in order, or if decided by vote to be out of order, cannot proceed at all, without general consent. Any objectionable words which have been said are taken down at once by the secretary, on request of the member raising the point of order, and these words form the basis of the proceeding.

35. Cessation of Debate. In the absence of special rules or a motion to close debate at a

stated time, the debate on any question continues until it ceases of its own accord, so to speak, or until the previous question is ordered. When the voting begins, the debate ceases; but, in absence of objection, debate may be resumed after the affirmative side has been put to vote. In this case the affirmatives must be taken again. If the vote has been once taken, and is doubted and again taken, debate cannot be renewed.

36. The Floor. The chairman has the right to assign the floor, and in exercising this right should be governed by the spirit of fairness. The member who first rises and addresses the chair is the one entitled to recognition. When two or more rise at once, the chair recognizes that one who seems to have been the first, or the one who has not already spoken, or who is the farthest from the platform, or who is believed to represent the side of the question which has not been so fully heard. The chair's own predilections should never influence the giving of the floor. In case a member thinks

that the floor has been unfairly assigned, a point of order can be raised, or the floor can be "contested"; in either case, the vote of the meeting decides the question. In large assemblies it is best to trust to the fairness of the chairman, unless there is flagrant or repeated injustice. [50.]

37. Yielding the Floor. Having obtained the floor, the member is entitled to keep it, and *should* keep it, allowing no interruptions. Only the most experienced debater is able to retain self-possession and the trend of thought, if constantly interrupted. The habit of avowedly "asking the member a question," when the real purpose is to interject an adverse argument, while it enlivens the debate to the hearers, does not conduce to its dignity. Such interruption is suitable, however, when a speaker is misrepresenting an opponent's views.

By yielding the floor, the member loses the right to it if another chooses to claim it, unless it is yielded for a legitimate question. See also the special rule in *section 130*, which large

assemblies would better adopt. The right to the floor is retained when yielded for an adjournment or a recess. When the floor, instead of being yielded, is taken from the speaker by a question of privilege or of order, the right to it is retained. [51.]

38. Courtesies in Debate. Courtesy must not be carried so far as to endanger one's cause. It is not discourteous to decline to yield the floor, provided courteous words are used. Further, any "courtesies" of procedure which deny the principle of equality are unparliamentary. Special privileges or precedence, given to any member over any other, endanger that freedom which is the soul of debate, as well as its safety.

39. The Vote. The third and last stage in the process of business is the vote upon the motion. The five ordinary methods of voting are:—

1. By responding "Aye" or "No" — called the *viva voce* vote.
2. By rising, and standing until counted.
3. By raising the right hand.

4. By ballot.

5. By the roll-call, or yeas and nays.

In very large meetings, or in times of confusion, the members can vote by passing, one by one, past a prescribed spot and there depositing a ballot, or announcing a "Yea" or "Nay"; or, by separating into two bodies in different parts of the room.

The first method is the best for all ordinary occasions; the second is better than the third, as the result is the more easily obtained. The ballot is the proper method when secrecy is desired, and the roll-call when a record of each member's vote is wanted. In absence of a rule to the contrary, the chair may employ either one of the first three methods, but should always *indicate* the method, and not say "the usual manner." The fourth and fifth methods are used only upon motion and vote. It may be provided by special rule that the yeas and nays shall be called on demand of one-fifth of those present; otherwise a majority is required. A motion for a vote by ballot requires the support

of a majority of those present and voting. Members and officers should be, and committees and delegates may be, elected by ballot.

The final declaration of the chair, "the motion is carried," or "the motion is lost," decides the vote. A motion regarding the manner of voting can be amended, but not debated. [64, 65, 67, 72, 73.]

40. The Voters. The rule in regard to voting is as follows: a quorum being present, any question is decided by the majority vote of those present and voting upon it—a "majority vote," meaning "a majority of those voting." There are, however, two exceptions to this rule,—one being the roll-call for the purpose of ascertaining the quorum; the other, the demand for the yeas and nays; the basis of each of these is decided by counting the number present instead of the number voting. There is also an apparent exception in the case where there is no response on either side. It is then assumed that there are no negative votes, and the result is declared in the affirmative, unless objection

is made, in which case the vote is retaken, as in "doubting" the vote.

Only the regular members of an organization are entitled to vote; a member, in order to vote, must be present; each member has but one vote, proxy voting being admissible only by organic provision.

41. Doubting the Vote. When there is doubt, in the mind of the chair or of any member, as to whether the "Ayes" or the "Noes" prevail, the question is put to vote again, either by rising or by some other method which secures a distinct division, the secretary (or, in large assemblies, tellers appointed by the chair) counting the number on each side, and giving the result to the chairman. Also, in case of any doubt as to the result of the vote by one method, a motion may be made to employ another method. For instance, there may be a motion for the yeas and nays, when the result by *vivâ voce* vote or by rising has been so close as to admit of doubt or to cause confusion. When a vote is close, a recount may be demanded by any mem-

ber; and on the roll-call, members may change their votes at any time before the final result is declared.

42. Tie Votes. When the number of votes on each side is equal, the motion is defeated, as a tie vote is not a majority. The chair may vote in the affirmative, and change the result; or in the negative, and enforce it; and may also vote to make a tie, and thus defeat a measure, provided that the right of voting has not already been exercised. In case of a tie vote by ballot, these rules do not apply; then, another ballot is taken. In the vote upon an appeal a tie vote sustains the chair. [69-71.]

43. Unanimous Consent. An irregular procedure, which would otherwise be inadmissible, is often allowable by general consent, and "general consent" means unanimous consent. Routine business goes on, debate continues when out of order, and similar informalities are allowed, by general consent. But if one person objects to any such irregularity, the presiding officer must enforce the rules. Mr. Reed

says that "by unanimous consent an assembly may do anything which it is competent to do, and that, notwithstanding any rule or regulation or any provision of parliamentary law to the contrary." This principle, however, must be carefully guarded against misuse. The general consent cannot be *assumed*, except in matters of routine; in other cases it must be regularly *ascertained*, either by giving opportunity for an objection, or by putting the question regularly to vote.

Where, in the text of this book, the expression "requires unanimous consent" is used, it is meant that the vote of the meeting shall be regularly taken upon the question at issue; when the words "in absence of an objection" are used, it is meant that the unanimous consent is ascertained by asking if there are objections, or by waiting for such. One negative vote, or one member's objection, defeats the question. [39, 53.]

The following matters require unanimous consent: the withdrawal of a motion, the suspension of a rule, resuming debate after the affirmative

side is put, extending debate, expunging from the record, electing by acclamation; also, in general, any irregularity which the assembly seems willing, for the time being, to allow.

44. Equivalent Motions. When the negative of one motion amounts to the affirmative of another, and leaves no alternative, the decision of one decides the other.

CHAPTER V

THE PRECEDENCE OF MOTIONS

45. Action on the Main Question. The main question, having been properly placed before the meeting, can be debated and voted upon without delay or change, as already shown; or its form and meaning can be altered and its decision delayed to suit the wishes of the assembly. For these purposes, various motions are employed, each having a definite purpose and use, and each limited by certain restrictions, so

that the desired result may be secured. These motions are called "dependent" motions or questions, because they depend or "hang," so to speak, from the main question, and tend in some way to modify it.

46. "Independent" vs. "Dependent." An independent motion is one which is made when no other motion is pending. It stands for and by itself, unrelated to another; and no two independent motions can be pending at once. A dependent motion (or question) is one that may be made while another is pending, and which is in some way related to that other. Any number of dependent questions may be pending at once, provided they preserve a certain order and are relevant. In regard to the relevancy of dependent questions, the general rule is that when a motion is pending another motion can be entertained if such motion: 1. is necessary to the existence and proper conduct of the assembly; 2. tends to modify the main question itself or its status; 3. arises incidentally out of another question. These three conditions define, respec-

tively, the "privileged," the "subsidiary," and the "incidental" questions, which are the three classes of dependent motions.

47. Precedence. Each of the dependent questions "has precedence" over the main question, that is, it may be moved while the main question is pending, and, if moved, it must be considered and voted upon previously to that question. Further, the dependent questions have a certain precedence among themselves, the general rule regarding such precedence being that when one has been moved and is pending, another may or may not be offered, according as it stands above or below the preceding one in a certain prescribed list. There is an exception to this rule in the case of incidental questions.

48. The Independent Motions. The following are included under the head of independent motions:—

1. The main question, or measure that the assembly is considering. This is sometimes also called the "principal motion."

2. Any motion as to methods which is made independently of any other question; such as, to change the hour of meeting, to make a rule, or to provide for any emergency.

3. Any of the motions classed as dependent, except those which by their nature are obviously never other than dependent. The motion to adjourn, for instance, may be both independent and dependent, while the motion to lay upon the table is dependent only. The dependent motion to commit has its counterpart in the independent motion to form a committee for a specified purpose.

4. The motion to reconsider the vote upon the main question, and the motion to take from the table. It may be possible for these also to be, at times, dependent, but in general usage they are allowed only when no other motion is pending. There is no precedence among independent motions; one is disposed of before another is offered. [115-119, 158.]

49. List of Dependent Motions. In this list, the privileged questions "precede" the sub-

sidiaries; and each privileged or subsidiary question takes precedence of the ones below it in the whole list, which is as follows:—

PRIVILEGED QUESTIONS

1. To fix the time for reassembling.
(When the time has not been fixed.¹)
2. To adjourn.
(When the time for reassembling is fixed.¹)
3. To take a recess.
(When the time for reassembling is fixed.¹)
4. Question of privilege affecting the assembly.
(Including the question of “no quorum.”)
5. Question of privilege affecting a member.
(Including the “parliamentary inquiry.”)

SUBSIDIARY QUESTIONS

6. Question of consideration.
7. To lay upon the table.
8. For the previous question.
9. To postpone.
10. To commit. (and to recommit).
11. To amend.
12. To postpone indefinitely.

¹ At other times, this is an independent motion with no privilege of precedence.

INCIDENTAL QUESTIONS

These have no precedence among themselves, with the exception of the first, which is always first in order, and may precede any other question, privileged, subsidiary, or incidental. Each incidental precedes the main question, *provided there is legitimate occasion for it*; and if any privileged or subsidiary question is also pending when an occasion arises for an incidental question, that also yields to the incidental. The incidentals are as follows:—

The question of order.

The withdrawal of a motion.

The division of a motion.

To suspend a rule.

To read a paper for information.

To limit or to extend debate.

To decide upon the method of voting.

To take up a question out of its order.

To reconsider the vote upon a dependent motion.

Also (when authorized by special rule),

To go into committee of the whole.

50. **General Effect of "Precedence."** When the pending motion is interrupted by a superior motion, the former is suspended until the latter is decided. If the superior motion is lost, the proceedings return to the same status as before it was offered, a defeated motion having no effect. If the superior motion is carried, the main question is in some way modified thereby, the effect upon it varying with the nature of the action taken. If several dependent motions are made, one after another, all being pending at once, they are put to vote in the reverse order, the one made last being voted upon first, and so on to the main question, which is decided last of all. [117.]

CHAPTER VI

PRIVILEGED QUESTIONS

51. **The Motion to Fix the Time for Reassembling.** When the time for the next session has not been already fixed, this is a question of

highest privilege, preceding even the motion to adjourn. It is undebatable, and can be amended only as to the time. Its form is as follows: "I move that when we adjourn, we adjourn to meet on — at — o'clock."

When the time for the next session has been fixed, this motion is not privileged, has no precedence over other motions, and is debatable. It is then an independent motion to *change* the time.

52. The Motion to Adjourn. When the time for reassembling is fixed, this is a question of highest privilege, since the first right of an assembly is the right to terminate its session. This motion cannot be debated, nor can any subsidiary be applied to it: it is simply voted upon.

When the time for the next session has not been fixed, and "to adjourn" would really be "to dissolve" the session, a motion to adjourn is not privileged over other motions, and is debatable. [120, 123.]

53. Limitations. It is commonly said that a motion to adjourn is always in order. This is

not strictly true. Although of the highest privilege, it cannot be made: 1. when a member has the floor; 2. during the process of voting; 3. when no substantial business has intervened since the same motion was made and lost. The same is true of the motion to fix the time for reassembling. [122.]

54. To Adjourn to a Stated Time. In small and in temporary assemblies, when the time for reassembling has not been fixed, a motion is often made combining these two privileged questions, *i.e.*, "that we adjourn to meet at three o'clock to-morrow." This motion is debatable, and can be amended as to the time. Permanent associations should always have a fixed and regular time of meeting; it is well also to have a regular time of adjournment.

55. The Motion to Take a Recess. When the time for reassembling is fixed, a motion to take a recess is highly privileged; it can be debated, and amended as to the time. When the time is not fixed, this motion has no privilege of precedence. The motion should include a

statement of the time that the recess shall begin and close.

56. Effects of these Two Motions. When a motion to adjourn is carried, the assembly closes its session, to resume at the appointed future time. If business has been left unfinished, such business is resumed at the next meeting at the point interrupted; if there is an order of business, it comes up under the head of "unfinished business"; if not, it comes up immediately after the approval of the record. A vote to take a recess simply suspends the proceedings, which are resumed at the point interrupted, any unfinished business which was pending being first in order.

57. Questions of Privilege. When the rights, privileges, dignity, or comfort of the assembly, or of any member thereof, are endangered, the method provided for adjusting such difficulties is the "question of privilege." This is not a motion, and it always relates to some subject foreign to the matter in hand, and of immediate importance. The member who wishes to raise

the question does not await recognition from the chair before speaking, but rises, interrupts any proceeding (even a member speaking), and states the question. Such questions, however, must be raised immediately upon the occasion for them, as delay renders them out of order.

It is the chairman's prerogative to decide whether a question thus interjected is really a proper question of privilege, and to rule it out of order if not legitimate. If the matter is a simple one, the chair may adjust it as seems best and speediest, or, if necessary, it is adjusted by motion and vote. When such motion arises, it is debatable, amendable, and subject to any other action. The question of privilege itself is undebatable unless the chair wishes advice and asks for debate. All action consequent upon such questions must be settled, at least temporarily, before the business which has been suspended thereby is resumed. If the remarks of a member have been interrupted, the member retains the right to the floor, and resumes after the question of privilege is decided. [147-150.]

A question of privilege affecting the assembly takes precedence of a question of personal privilege.

58. The Question of "No Quorum." Among the questions of privilege affecting the assembly, and of the first importance, is the question of "no quorum." When it is apparent that the requisite number of members is not present, a member "raises the question of no quorum." All business is then suspended, a count is taken, and if it is found that a quorum is not present, the meeting adjourns. The only motions which can be made when no quorum is present are those to fix the time for reassembling, to adjourn, and to take a recess. The quorum is fully considered in *section 9*.

59. The Parliamentary Inquiry. One of the common questions of personal privilege is that which has come to be known as the parliamentary inquiry. This is the means provided by which information may be asked of the presiding officer as to the effect of a pending motion, or of a certain applicable motion which the member

may contemplate making. The chair answers the query without debate or vote. The form is: "I rise to a parliamentary inquiry."

This question can interrupt any business, provided that it relates to the matter in hand; otherwise it is ruled out of order. A member who is speaking cannot, however, be interrupted for this purpose.

Recognition by the chair is not necessary for this, nor for the following other questions: question of privilege, question of order, question of no quorum, question of consideration, an appeal, seconding a motion, doubting a vote, doubting title to the floor.

60. Recapitulation. The privileged questions are those which are necessary to the existence of the assembly and to the performance of its functions; they take precedence of the 'subsidiaries, and precede one another in the following order: 1. to fix the time for reassembling; 2. to adjourn; 3. to take a recess; 4. questions of privilege affecting the assembly; 5. questions of privilege affecting the individual.

None of these can be amended by substituting for it any other one of them.

CHAPTER VII

SUBSIDIARY QUESTIONS

61. The Question of Consideration.¹ It is assumed that any matter properly presented to an assembly is to be considered. As in the case of the reception of a report, the report is received as a matter of course unless objection is made; so in the presentation of business, such business is received unless objection is made by "raising the question of consideration." The object of this question is to prevent the consideration, at that time, of the measure presented. The question of consideration must be raised upon the first presentation of the measure ob-

¹ This manual follows "Reed's Rules" in classing the question of consideration among the regular subsidiaries. Other authorities make it admissible only by special rule.

jected to and before the debate upon it has begun. It is at once voted upon, without debate or any other action. It applies only to the main question. The motion having been stated, a member (without waiting for recognition) says: "On that motion, I raise the question of consideration"; the chair then proceeds as follows: "The member raises the question of consideration: shall this matter be now considered?" If decided in the affirmative, the business proceeds; if in the negative, it is as if the matter had not been presented.

62. The Motion to Lay upon the Table. The object of this motion is to delay the decision of the main question; its effect is to set the measure aside until such future time as the assembly shall choose to take it up again. This motion cannot be applied to a subsidiary question; when it is moved while any subsidiary is pending, it must be understood that it applies to the main question, and that, if carried, the whole matter under consideration is tabled. No subsidiary motion can be tabled by itself. The measure

having been tabled, the next item of business is taken up. One motion to table having been defeated, another cannot be made upon the same proposition, unless such substantial business has intervened as will make the situation practically a different one. This motion is undebatable, and subject to no subsidiary action. It is at once voted upon. [125, 126.]

63. Taking from the Table. At any later time, soon or remote, the tabled measure may be taken from the table, with the *proviso* that a matter which remains upon the table at the close of the season is killed. The motion to take from the table is not a subsidiary; it is an independent motion with no privileges of precedence. It is undebatable, and subject to no subsidiary action. When a question is taken from the table, it comes before the assembly in the precise shape that it was in prior to the motion to table, the amendments, and other motions then pending, being attached to it and coming up with it.

64. The Previous Question, or Closure. The general principle in regard to debate is that any

measure may be debated for as long a time as the assembly may choose. To guard against the abuse of this principle, a motion has been provided, whereby, if the majority wish, the debate can be closed and the measure brought to a vote. This is called the "motion for the previous question," and it is so called because it is put to vote *previously* to the main question. It is simply a motion to close debate and come to a vote upon the pending measure. When the previous question is moved, the debate upon the main question is suspended until the motion to close that debate is decided. If the previous question is "ordered" (the motion therefor having been decided in the affirmative), the debate upon the main question is closed, and the vote is then taken. If the motion for the previous question is lost, the debate upon the main question is resumed and continues as long as the assembly desires, or until the previous question is again moved. [54-59.]

65. Debate of the Previous Question. While the previous question is necessary to prevent

abuse in debate, it may itself become an abuse by cutting off debate prematurely, unless it is properly restricted. Different authorities prescribe different expedients, — such as the requiring of a two-thirds vote, or its admittance only by special rule. The simplest and fairest expedient is to provide for a protest against the abuse of the previous question by allowing it to be debated for a limited time, this debate being strictly confined to giving the reasons why the debate on the main question should not be closed, and any member being declared out of order who touches upon the main question itself. Societies which adopt this manual, therefore, will allow the previous question to be debated for a period not exceeding ten minutes, and they would better also enforce this principle by adopting the special rule in *section 130*. [57, 58.]

66. Limitations. The previous question is, of course, applicable only to debatable motions, and such of the dependent motions as are debatable are subject to it, as well as the main question. When, however, it is desired to move

the previous question upon any pending motion other than the main question, that fact must be explicitly stated ; as, for instance, "I move the previous question upon the secondary amendment." The unqualified motion, "I move the previous question," applies to the main question, whatever else may be pending, and, if carried, closes the debate upon that and upon all other pending motions.

The calling out of "question," "question " from the floor is not the motion for the previous question, and need not be heeded by the chair. This motion, like every other, must be regularly made by rising, addressing the chair, and obtaining recognition.

After the previous question is ordered upon the main question, the vote is supposed to be, and usually is, immediately taken, and the matter decided. This final vote, however, may be further delayed, by the raising and decision of any one of the five privileged questions, by a question of order, or by the following motions: to divide the measure, to read the paper which

is under consideration, to decide upon the method of voting upon the measure, and to reconsider the vote upon an amendment. Any of these questions must, at this time, be decided without debate or appeal.

If an adjournment is had, or a recess taken after the previous question is ordered, the subject thus interrupted comes up as the first matter of business when the session is resumed, and is at once voted upon.

If a motion to postpone or to commit had been pending when the previous question was ordered, such motion is "cut off" thereby, and not put to vote. [60-62.]

67. The Motion to Postpone. The object of this motion is to postpone action upon the main question until some future specified time, in order to gain further consideration. Its effect is to postpone the main question, with its auxiliaries, to some definite future time, at which time it comes up for action, without any motion to call it up. The measure may be postponed to a future day merely, or the hour of that day

may also be specified. If the former, it comes up when the item "special assignments" is reached; if the latter, it comes up at the hour assigned, any and all other business being interrupted. The chair places it before the meeting at the proper time, or, in case of failure of duty in this respect, a member calls for it, or reminds the chair of it by a question of order. The special assignment being before the meeting, any action is in order upon it, the question being in the same condition, in regard to pending auxiliaries, as it was when postponed. [128, 129.]

68. Limitations. The motion to postpone, like the motion to table, cannot be applied to a subsidiary question; if moved while a subsidiary is pending, it relates to the main question also. If lost, it cannot be renewed unless such substantial business has intervened as will make the motion practically a new one. It is debatable, and it can be amended as to the time, but cannot be tabled, committed, or, of course, postponed or repressed. It is cut off or quashed

by the ordering of the previous question. If pending when an adjournment is had, or a recess taken, it remains attached to the main question, and comes up again with it.

69. The Motion to Commit. This is the motion to refer the main question to a committee; its object is to get the measure into better shape for consideration by the assembly, or to secure more information, or some recommendation concerning it. Its effect is to refer to some committee the whole measure under consideration. The motion having been carried, the next business is to form the committee (unless the matter has been referred to a standing committee) and, if desirable, to instruct them. The measure is thus removed from the assembly, and remains in the hands of the committee until such time as it shall make its report, when it again comes up, in its new form, and is subject to any action. [134.]

The subject of committees is considered in Chapter X.

70. Limitations. The motion to commit ap-

plies only to the main question, though an amendment which stands distinctly by itself may be committed ; in this case, other parts of the question may be meanwhile considered, but nothing *decided* until the amendment is reported back to the assembly. When this would unduly complicate the procedure, however, it should be ruled out of order. [136.]

The simple motion to commit cannot be amended or divided, but a motion which includes the number of members who shall constitute the committee, or its manner of appointment, can be. It is best to first decide upon commitment, and afterward upon the number, and the manner of appointment — each question separately. [134.] This motion is debatable, but limited otherwise like the motion to postpone. It is quashed by the previous question; but if pending when the main question is tabled or postponed, it remains attached to that and comes up again with it. The effect upon it of adjournment or a recess is the same. A pending motion to indefinitely postpone is cut off

by commitment. The vote to commit can be reconsidered, if the motion to reconsider is made before the committee has entered upon its work. A motion to refer to a standing committee takes precedence of one to refer to a special committee.

These rules apply also to the motion to recommit, which is simply a motion to commit the same measure again, either to the same or to another committee. [146.]

71. The Motion to Form a Committee. An independent motion to form a committee to consider any subject which is *not* pending, is not limited in any way; it is itself the main question, and is subject to any and all action. [138.]

72. The Motion to Commit with Instructions. This motion may be either independent, in which case it is governed by the same rules as those in the preceding section, or it may be subsidiary, when it is limited like the simple motion to commit, with the exception that it can be amended. In either case, this motion cannot be divided into (1) the motion to commit

and (2) the motion to instruct. If it is desired to get rid of the instructions, this must be done by a motion to amend "by striking out the instructions." [135.]

73. The Motion to Amend. The object of this motion is to get the measure into the shape desired by the assembly before voting upon it; its effect is to change the meaning of a motion by adding to it or striking from it certain specified words. As soon as a motion to amend is made, two propositions are before the assembly at once, — the motion to amend and the motion proposed to be amended, and the former is decided first. A pending motion to amend is attached to the measure, and remains with it, whatever action is taken upon it, until the final vote, when the amendment is voted upon previously to the question to which it relates.

An amendment is debatable unless the question to which it relates be undebatable; it may be amended secondarily, and may be committed under the restrictions already shown. The subject of amendment is treated in Chapter IX.

74. The Motion to Postpone Indefinitely. This is the last and least important of the subsidiaries. It is seldom used. As its effect is to kill the main question without distinctly voting upon it, its meaning is better expressed by calling it the motion "to repress." It gives to the opposition the advantage of the affirmative vote; when, therefore, the opponents of a measure are approximately sure of a majority, this is a quick way of carrying their point.

This motion is debatable, and the debate upon it opens up debate upon the main question also. No subsidiary can be applied to it, except the motion for the previous question. It cannot be substituted for the motion to postpone, or *vice versa*. It cannot be applied to any subsidiary question. If lost, it cannot be renewed upon the same measure. It can be reconsidered.
[131, 132.]

75. Recapitulation. The subsidiary questions are so called because they are auxiliary to the main question, and tend to modify either its substance, or its status in the assembly. They

are seven in number. As a rule, they cannot be applied to one another. But the motion to amend may be applied to the motions to postpone and to amend, and the previous question may be applied to the motions to postpone, to commit, to amend, and to postpone indefinitely. The subsidiary questions yield precedence to the privileged questions, and have the following order of precedence among themselves: 1. the question of consideration; 2. the motion to lay upon the table; 3. the motion for the previous question; 4. the motion to postpone; 5. the motion to commit; 6. the motion to amend; 7. the motion to postpone indefinitely.

None of these can be amended by substituting for it any other one of them.

CHAPTER VIII

INCIDENTAL QUESTIONS

76. Definition. As the name implies, these questions are such as arise incidentally out of other questions. They are side propositions,

which may be interjected into the proceedings, and interrupt not only the main question, but also any other question, *with the proviso* that no one of them may be offered except when there is an immediate occasion for it ; otherwise it is ruled out of order. The incidentals have no precedence among themselves, that is, one cannot be made while another is pending, with the exception of the question of order. This takes precedence not only of all the other incidentals, but it also may precede and interrupt any and all business, whenever anything in the procedure is out of order.

77. Questions of Order. It is the first duty of the presiding officer to enforce order, and to see that the meeting is conducted in accordance with parliamentary usage and its own rules; and it is the first right of the assembly to have its business so conducted. If a member considers the chair to be derelict in this duty, or if an error is detected which the chair overlooks, the remedy is to raise a question, or "point," of order. This is the means provided for adjusting any irregu-

larity or correcting any mistake in the method of procedure. As the question of order is not a motion, it can be raised without recognition by the chair; it can interrupt debate and any procedure. It must be raised immediately upon the occasion for it; delay renders it inadmissible.

The member having risen to a point of order, is asked by the chair to state it, business being suspended, and, the statement being made, the chair decides whether the point is "well taken" or "not well taken."

There is no debate unless the chair, for possible help in deciding the point, requests debate. The decision of the chair decides the question, unless an appeal is taken; the disorderly procedure is then corrected, and the business is resumed. If a member had been speaking when the question of order was raised, the right to the floor is retained unless that member had been declared out of order, in which case such member can resume the interrupted remarks only in absence of objection. [151-153, 158.]

78. The Appeal. After the chair's decision,

any member who is dissatisfied therewith may appeal, and the following question is then put: "Shall the decision of the chair stand as the judgment of the assembly?" This is debatable, the presiding officer having precedence, and also the right to speak without leaving the chair. The chair declares that "the decision of the chair is sustained" or "overruled," as the majority decides, and this closes the matter. A tie vote on an appeal sustains the chair. [154.]

79. Limitations. An appeal cannot be amended, and cannot be acted upon separately from the proceedings out of which it arose. For instance, the effect of a motion to postpone an appeal would be to postpone the point of order, and also any other procedure out of which the point of order arose. Anything that interrupts the decision of a question of order must be settled without debate. A point of order upon a point of order must be decided without debate or appeal. The appeal upon a question of order which has interrupted an undebatable question is also undebatable. [156.]

80. Withdrawal of a Motion. A motion having been made and stated by the chair is "in the possession" of the assembly, and cannot then be withdrawn except by leave of the assembly and in absence of an objection. Under these conditions, any motion can be withdrawn, by the mover thereof, at any time before an amendment has been offered to it or some decision reached. A motion that has been withdrawn is not recorded. Before the chair has stated a motion, the member can withdraw it without leave. This question is undebatable, and no subsidiary action can be taken upon it. [38-40.]

81. Division of a Question. A measure which contains two or more such distinct parts that each part would be a motion if it stood alone, may be divided into those parts, and each division debated and put to vote separately. In absence of an objection, the division may be made by the chair, without a motion to divide. In case there is a motion for the division, this is simply: "I move to divide," and the chair then

makes the division. This motion is undebatable, but it can be amended, and is decided by the majority. In case the chair decides the motion to divide to be out of order, the decision is open to appeal, which appeal is undebatable.

The division of the question is in order immediately after the motion is stated, and just previous to the taking of the final vote. During discussion, or after any subsidiary action upon the whole motion, a division would not be in order except by unanimous consent. A measure can be divided after the previous question has been ordered. [41.]

82. The Motion to Suspend a Rule. This motion is in order when a member wishes the assembly to take some action that one of its own rules would interfere with. The form is as follows: "I move to suspend the rule [or rule number —] in order that," etc. A rule is suspended only by unanimous consent, unless a different provision is made by another special rule. This motion is undebatable, and subject to no

subsidiary action. The subject of special rules is considered in Chapter XII.

83. The Motion to Read a Paper. When a proposition is under discussion, any member may request the reading of such "paper," for information as to what is to be voted upon. There must, however, be a reasonable limit to the number of times this request may be made, and the chair may therefore rule it out of order when it becomes evidently factious. The request is always in order just previous to the taking of the vote; at other times, if any objection is made, the "paper" can be read only by a motion and a majority vote. This motion to read a paper is undebatable. A motion to read any paper which is *not* the subject of consideration requires unanimous consent.

84. Motions to Limit and to Extend Debate. When there are special rules limiting debate, those rules govern. In the absence of special rules, the following motions may be made: 1. "to close the debate at" (or "to restrict it within") a stated time; 2. "to limit the speakers" to a

certain prescribed number of minutes. These motions may be made while debate is in progress, but it is better to make them before the debate begins. The floor cannot be taken from a speaker for the purpose of making these motions, although, if the privileges of debate are abused, the debater may be interrupted by a question of privilege or of order, which is decided in the regular way.

When the debate has been limited, there may be a further motion: 3. "to extend the time"; and this can refer either to the one speaker whose time has expired, or to the debate in general. This motion must include a definite statement of the amount of further time proposed to be granted.

All of these motions are undebatable, but they may be amended as to the time. A vote to close debate at, or to restrict it within, a stated time does not preclude the closing of debate and taking of the vote before that time, if the assembly is ready for the question; *provided*, however, that a decision to take the vote upon a

question at a certain hour of a certain future day would preclude an earlier vote, except by consent of all concerned. Reconsideration cannot be applied, unless the motion to reconsider is made before the limit of time fixed upon the debate has expired. The third motion cannot be reconsidered.

85. Motions as to the Method of Voting. The various methods of voting have already been explained in *section 39*. In absence of a motion to the contrary, the chair puts the question to vote by means of one of the three simple methods there enumerated. But, at any time before the voting begins, a motion may be made prescribing any one of the five methods to the exclusion of the others. The yeas and nays, or roll-call, is seldom used except in legislatures, where a printed list of members exists for the purpose. Any society which means to employ it may make a rule prescribing that some fraction of the members present may demand it; otherwise a majority vote is required. The rule that one-fifth may demand the yeas and nays is in use

in legislatures; but in other organizations perhaps this is too small a number, since the need of putting the members on record is not great except in legislative assemblies. Any question may be voted upon by ballot, if a motion to that effect is sustained by the majority.

This motion, "that when the question is put to vote, the vote shall be taken by ballot" (or whichever method may be desired), can be made at any time before the voting begins, but it is better to make it before or after, rather than during, debate. Such motions are undebatable, but may be amended by substituting one for another.

86. The Motion to Take up a Question out of its Order. When it is desired that an item of business shall be considered before it is reached in the regular order, this is the motion employed to secure that end. The unfinished business, for instance, may often need to be considered before the reports of committees.

This motion is admissible at any time between the consideration of any two items, but it cannot

intervene during discussion. It may be well, in certain societies, to make a special rule that it shall require a two-thirds vote; otherwise the majority decides it. It is undebatable, and subject to no subsidiary action.

87. To Reconsider the Vote upon a Dependent Question. When the main question is pending, and some dependent question has received a vote which the assembly afterward wishes to reconsider, this is the motion employed to secure that end. The vote upon an amendment would be the most common instance. This motion, "to reconsider the vote upon" — (the dependent question involved), is in order whenever the intelligent consideration of the main proposition demands it, or whenever any member wishes to secure a second vote upon such dependent question. It can be made at any time except when a member is speaking. It is debatable, unless the question to which it refers is undebatable. It must be decided at once, for, unlike the motion to reconsider the vote upon the main question, it cannot be postponed to the next meeting. In

other respects, this motion follows the general rules regarding reconsideration.

88. The Motion to Go into Committee of the Whole. This motion is of little use in assemblies other than legislative, since ordinary business is better done without this extra complication. Its object is to enable a legislative body to consider a bill as if in committee, where the stricter parliamentary usages and rules are abrogated or modified. To go into committee of the whole in any other kind of assembly would tend to destroy, or at least to delay, the objects for which that assembly had convened. The only times when it would be useful are when there are several parts of a measure to be considered, either as to matter or form, and, even then, reference to a committee would be sufficient, unless immediate action were imperative. As any ordinary society, therefore, can do its work in regular assembly, assisted by its committees, without the use of the committee of the whole, this motion is allowable only when authorized by

special rule. Any organization which desires to include it in its regular procedure will adopt the rule in *section 131*.

This motion is undebatable, and no subsidiary can be applied to it. See *sections 117-119* for further consideration of this matter.

89. Other Incidentals. It is not pretended that all the possible incidental motions are exhausted in the foregoing enumeration. The important ones have been given. Any question, not otherwise classed as independent, privileged, or subsidiary, which legitimately arises out of another question and is incident thereto, may also be understood to be an incidental. Some of these, the object and effect of which are so apparent as to need no amplification, are the following: to amend, and to adopt the record; to postpone the reading of, and to expunge from the record; to receive, and to adopt a report; to speak out of proper turn, or after having been out of order; to open, and to close nominations; to extend the time of a meeting, etc.

90. Recapitulation. Incidental questions are

those which are incident to the decision of other questions. The chief ones are: the question of order, the withdrawal of a motion, the division of a question, the suspension of a rule, the motion to read a paper, the motions as to limitation or extension of debate, the motions to decide upon the method of voting, the motion to take up a question out of its order, the reconsideration of the vote upon a dependent question, and the motion to go into committee of the whole (when authorized by special rule). These questions have no precedence among themselves, except the first one, which may always precede all else, whenever the occasion for it arises. Each of them is in order only when it legitimately grows out of the question immediately pending.

No one of the dependent questions, whether privileged, subsidiary, or incidental, can be amended by substituting for it any other one of them.

CHAPTER IX

AMENDMENT

91. **Nature of Amendment.** A motion may be voted upon in its original shape, or any change may be made in it to suit the wish of the assembly. This process is called "amendment," and an amendment may be defined as a proposed change in the *meaning* of a motion. A simple verbal change, where the sense or meaning is not changed in the least respect, is not "amendment," properly speaking, as such change does not necessarily require a motion and vote. [87.]

Any proposed amendment must be "germane" or relevant to the subject; also, it must not be trivial or foolish: in these cases, the proposed amendment is ruled out of order. But an amendment may be wholly hostile to the motion, and may tend to destroy its use or contradict its intent. [88.]

92. Effect of Amendment. The effect of an amendment is to change the sense of the pending motion by either (1) adding to it, (2) striking from it, or (3) striking from it and adding to it at once, certain specified words in a certain specified place. The amendment is first voted upon, and then the motion, which, if the amendment is carried, then becomes "the motion as amended." [89.]

93. The Three Methods. These three methods of amendment are called, respectively, the methods (1) by "inserting," (2) by "striking out," and (3) by "striking out and inserting." When the added words are placed within the motion, it is called "inserting," when at the end, "adding"; when the whole motion is stricken out and another one put in its place, it is called "substitution," this being a form of the motion "to strike out and insert." The motion to strike out certain words and to insert others is put as one motion; it is not divisible into its two distinct parts. [95, 96.]

94. Secondary Amendment. Besides the pro-

posed amendment to the motion, which is called the "primary" amendment, there may be an amendment to the amendment, and this is called the "secondary" amendment. When the secondary has been moved, it brings before the assembly three questions at once: the main question, the primary amendment, and the secondary amendment; and these are debated and voted upon, one by one, in the reverse order. If a secondary amendment is carried, it modifies the primary in one of the three ways specified, and the primary then becomes "the amendment as amended." [90.]

95. Limitations. Only one primary or one secondary amendment can be pending at once, the rule being that "when an amendment is pending, no other amendment can be offered except an amendment to the pending amendment." There can be no tertiary amendment.

But when one primary or one secondary has been disposed of, another can be offered; and so on, without limit, until the main question is in the desired shape. [90-92.]

96. The Method by Inserting. Any words germane to the measure may be added to it. When once added (or inserted), these same words, or a part of them, cannot be stricken out. But these words, or a part of them, *with others*, can be stricken out, provided such proposed change constitutes a substantially new proposition. Conversely, if the motion to insert certain words is defeated, these same words, or a part of them, cannot afterward be inserted; but these words, or a part of them, *with others*, can be. The rule is that the same proposition cannot twice be acted upon by amendment. If it is proposed to insert a whole new paragraph, this must be amended before voted upon; afterward, it, or any part of it, is not again subject to action by amendment. [97-99.]

97. The Method by Striking Out. The same principles apply here as in the foregoing section. Once stricken out, words cannot be replaced. But with other words, they may be. Conversely, words which the assembly refuses to strike out must remain in, unless stricken out

with such others as make of the amendment a new proposition. A motion to amend by striking out a paragraph must be amended secondarily, if at all, before the paragraph is stricken out. [100-102.]

98. The Method by Striking Out and Inserting. Here also the same rules apply. - If the motion to strike out certain words and insert others be carried, the words so inserted cannot afterward be stricken out, or the words so stricken out be again inserted. But these words, or a part of them, *with others*, may be inserted, or stricken out. If the motion to strike out and insert is defeated, the exact words thus acted upon cannot again be acted upon; but any change can be proposed (by means of inserting alone, or by striking out alone, or by striking out and inserting), which does not exactly reverse the action already taken. Some of these motions are as follows: —

1. To strike out the same words (without inserting).
2. To insert the same words (without striking out).

3. To strike out the same words, and insert the same words (or part of them) with others.

4. To strike out the same words (or a part of them) with others, and insert the same words.

5. To strike out the same words, and insert other words.

6. To strike out other words, and insert the same words.

7. To strike out part of the same words, with others, and insert the same words, or part of them.

8. To strike out the same words (or part of them), and insert a part of the same words, with others. [105, 106.]

The words to be inserted need not necessarily be inserted in the very same part of the proposition left vacant by the words stricken out; they are inserted where they properly belong.

An amendment once rejected, may sometimes be inserted in a different place in the proposition. But this would happen only when the measure had become so altered that new considerations were involved, and the meaning of the text changed. [103.]

99. Substitution. When a whole motion is stricken out and another inserted in its place, the process is called "substitution." The substitute must be amended before being voted upon; after having been substituted for the original motion, any part of it cannot again be amended. The substitute, however, is an amendment; after being adopted as an amendment, it becomes the main question, and is then subject to other subsidiary action, and is finally voted upon *as the main question*. [107.]

100. The Word "Not." A motion to amend by inserting, or by striking out, the word "not," so that the effect would be exactly to deny the proposition, is out of order; and the same is true of any other one word, the effect of which would be the same, as, for instance, "disapprove" for "approve." [104.]

101. Methods of Secondary Amendment. It may be said, in general, that the primary amendment may be amended by the secondary in the same ways that the main question is amended by the primary. The following rules, though they

may not cover every possible method, will indicate the chief ones, and those which are most important:—

I. A motion “to amend by inserting” may itself be amended: by inserting new words into the words to be inserted; by striking out words from the words to be inserted; and by striking out words from the words to be inserted and inserting new words in their place.

II. A motion “to amend by striking out” may itself be amended: by inserting more words (from the motion) into the words to be stricken out; by striking out words from the words to be stricken out; and by striking out words from the words to be stricken out and inserting more words (from the original motion) in their place.

III. A motion “to amend by striking out and inserting” may itself be amended: by inserting new words into, or by striking words from, the words to be inserted; by inserting more words from the original motion into, or by striking words from, the words to be stricken out; and by combining two of these corresponding propo-

sitions into one motion "to strike out and insert." [91.]

102. Accepting an Amendment. The simplest way of disposing of an amendment is for the mover of the motion to "accept" the proposed amendment. This is done, of course, only when the mover approves of the change; and even then it is out of order, if any objection is made, the motion being in the possession of the assembly, and not of the mover, for purposes of amendment. If no objection is made, and the amendment is accepted, it thereby becomes a part of the motion without a separate vote. Failure on the part of the mover to accept an amendment has no effect upon the amendment, which then takes its usual course. An amendment must be accepted when first offered, if at all. The mover of an amendment may accept a secondary under the same conditions. [94.]

103. Giving Notice of an Amendment. When it is desired to offer an amendment which is not then in order, "notice" may be given that at the proper time, or when opportunity occurs,

such and such an amendment will be offered. The member who has thus "given notice," will have no prior right to the floor for the purpose of presenting the proposed amendment, but must get the floor regularly when the time comes for the amendment to be in order. The notice is of value in informing the meeting that a certain proposition will be offered if the assembly chooses to allow it; and it will act accordingly. [93.]

104. Filling Blanks. When a proposition contains blank spaces which it is desired to fill with numbers denoting a sum or a time, or when it already contains such numbers, the method of amending such sums or times differs from the usual method of amendment; the rule that there can be but two propositions to amend pending at once, is qualified. Any number of such sums or times may be offered, one by one; and they may be pending at once; and all of them, including the one in the original motion, are voted upon, beginning with the largest sum or the longest time, and continuing until one of them is adopted. This number is supposed to fill the

blank in the motion, and the motion is then voted upon as so amended. [108.]

105. Complicated Propositions. When there is a series of propositions, such as a set of resolutions or a constitution and by-laws, which need much revision, the best method is to refer these to a committee for such revision. They then come back in their amended form and are subject to further action. Such propositions should be acted upon, one by one, but not adopted until all are perfected, when they are adopted as a whole. [11, 113; and page 269.]

106. Limitations. After the previous question is ordered, no new amendments are admissible, although verbal changes may be made. When an amendment is offered, the debate is confined to the amendment, unless that amendment necessarily involves the main question. The subsidiaries which are applicable to the motion to amend are the motions for the previous question, to amend secondarily, and to commit (under the restrictions noted in section 70). An amendment to an undebatable question is

also undebatable. The following motions cannot be amended: to adjourn, to lay upon and to take from the table, for the previous question, to commit, to postpone indefinitely, to reconsider, to suspend a rule, to take up a question out of its order, to go into committee of the whole, to open or close nominations; also, the question of consideration, questions of privilege and of order, the withdrawal of a motion, and an appeal.

CHAPTER X

COMMITTEES

107. Nature and Object of Committees. All large organizations necessarily do some of their work by means of committees, since a small number of persons can always consider a subject more carefully and with less delay than a large number. A committee is a subordinate body, dependent upon the organization which appoints it, to whose approval its acts are subject. Unless so authorized, it cannot make rules for itself.

108. Kinds of Committees. The committees of ordinary organizations are of two sorts, standing and special. A standing committee is one that is appointed for permanent work; it attends to all matters that appropriately come under its jurisdiction, and to it any such matter may be referred. Standing committees are usually provided for in the organic law of the society, but they may be specially created. The powers of standing committees should be restricted, where there is danger of the abuse of such powers.

A special committee is temporary in its nature, it is appointed to consider some special subject, and it ceases to exist when that subject is reported upon.

109. Methods of Selection. The membership of committees is decided in four ways: 1. by appointment; 2. by nominations and *vivâ voce* vote; 3. by ballot; 4. by a resolve, which creates the committee and specifies its members.

The person who proposes a committee is not entitled by right to be a member of it. Neither is the one first named its chairman, unless ex-

pressly so appointed or elected. When selected by ballot, the one having the largest number of votes is the chairman. Those persons should be placed on a committee who are best fitted to do its peculiar work. A committee should represent, when possible, the different views of the assembly on the question committed.

110. The Four Methods. When it has been voted to form a committee, and its number has been decided upon, the chair asks the pleasure of the assembly as to the manner of filling such committee, and a motion that the committee be— (1) “nominated from the floor,” or (2) “appointed by the chair,” is made and voted upon. If desired, a motion (3) “that it be chosen by ballot,” may be made, instead. If it is voted that the chair appoint the committee, the chair does so at once, or before the close of the meeting, if possible. If the appointment is made after adjournment, the chair must announce the membership of the committee at the next meeting, so that the fact can go upon the record. If it is voted to fill the committee by nominations from the floor,

opportunity must be given for as many nominees as the members desire to present, with the *proviso* that no one person can present more than one nominee for one office. The names presented are then voted upon, one by one, until the requisite number of members is elected. Or, the nominations being closed, the election may be by ballot, by means of a motion and vote to that effect. The ballot, either for nomination, or for election, or for both, is desirable whenever there is fear of controversy, or of unwise or hasty selection. All of these motions are undebatable. Each may be amended by substituting for it one of the others.

The fourth method is simply an independent motion to create a committee for a specified purpose. It is debatable and subject to all subsidiary action. It is usually best to divide it, putting to vote separately the proposition to create the committee for the special purpose, and the proposition designating the manner of filling the committee.

III. Procedure in Committees. The person

whose name stands first on the committee calls the first meeting; or, that failing, it may be convened by order of the organization or by call of two of its own members. A committee must *meet* in order to have its acts valid, for, as Mr. Fish says: "Separate agreement is not legal action." Unless the chairman has been designated, the committee elects its own chairman. When there is much business, a secretary is also chosen; otherwise the chair may act in that capacity. Other officers may be added, if necessary. The quorum of a committee is the majority, unless the superior body has otherwise directed. Only those persons regularly placed upon a committee are members thereof. There is no *ex officio* membership. Outsiders should not be present except in rare cases, and they cannot be present except by unanimous consent; they have no vote. The parliamentary procedure is less formal in committees; matters are informally discussed, precedent to the motion, and rising and similar formalities may be dispensed with. [139.]

112. Limitations. A committee considers only what is referred to it. Unless given "full powers" (in which case it does the work *for* the society, and its action is final), it makes a report for final action by the assembly. A committee cannot indefinitely postpone a question, but may postpone from one meeting to another, and may form sub-committees. It may reconsider its own action, if all are present who voted on the prevailing side. It cannot employ the previous question. It cannot sit during a session of the assembly, or in the same room, without leave from the assembly. When its work is done, it votes "to rise" instead of "to adjourn." In general, it may be said that the committee is subject to the assembly, and can do nothing independent of it. The work of a committee which has not been given "full powers" is advisory, not conclusive. It must not exceed its powers.

113. Work of Committees. The matter referred to a committee is fully and minutely considered by them, any necessary investigation is

made, and their conclusions are embodied in a report; when instructed, its powers include only what it is instructed to do. It revises the measure as to form and substance, incorporates in it any amendments that have been passed, amends it further if necessary, and, if suitable, makes some recommendation regarding it, thus putting it into proper shape for action by the assembly. If many or important amendments are made, they are reported on a separate paper, so that the original text and the proposed amendment may be distinct. [140.]

114. The Report. The committee's report should concisely embody its conclusions. It is presented to the assembly by its chairman (or by some other member, if so voted in committee), when it is called for in the regular order of business; or, it may come up by motion and vote "to receive" it; or, again (in absence of objection), when opportunity offers. Having been read, it is handed to the chairman, and is then in possession of the assembly. A motion "to receive" a report is necessary only

when the report is offered out of its proper time. If a committee neglects to report, such report can be called for by a motion instructing the committee to report at a specified time. A report is signed by the chairman's name, and the words, "for the committee," or if not unanimous, by all those who agree to it; it is not dated. The reception of a report brings that report before the assembly for adoption, or rejection, or modification.

The making of its report discharges the committee, which is thereby dissolved. A partial report, however, does not discharge the committee, but it can be "discharged from the further consideration" of the matter, by vote of the assembly to that effect, and the subject then given to another committee, in which case the former committee expires. The report of a standing committee does not dissolve that committee, but simply discharges it from the consideration of the subject reported upon.

115. Action on the Report. If it contains a simple recommendation that something be done,

the report can be simply "adopted," and this will adopt the recommendation. A vote "to adopt" a report disposes of the question; it makes the act of the committee the act of the assembly. A motion "to adopt" a report should therefore not be made unless, or until, the assembly is ready to adopt its conclusions.

When the report is an amended form of the measure committed, that is to say, when it is the main question itself, it is to be treated like any other main question, and is subject to all action. A motion "to adopt" would not then be necessary or useful; it would merely complicate the question, since the adoption or rejection of the *measure* would adopt or reject the report.

A report, or part of a report, which is merely explanatory of a measure, is read for information only, and is not acted upon at all, the action being taken upon the measure recommended. Only the subject-matter of a report is open for amendment, or other action, not any remarks of the committee concerning such subject-matter.

If, merely as a form, a motion is made "to adopt" a report, this motion must not be put to vote until the assembly is ready to adopt as its own acts all that the report recommends, for, a report being adopted, the matter is closed. Such a motion is best made after the report is acted upon, rather than before.

A motion "to accept" the report, *as a report*, merely out of courtesy to the committee, and to show that the assembly appreciates its work, is not necessary, since the report is understood as having been ordered from the committee by virtue of that committee's formation and commission. When the report is received, its acceptance, as a report, is presumed. There could be a motion "to approve the committee's work," or "to approve the report of the committee" if desired for courtesy's sake, and this would have no effect upon its recommendations.

116. The Minority Report. Strictly speaking, there is no such thing as a minority report, the report being the report of the majority; but the views of the minority may be read, if the

assembly so votes. This "report" is not a subject for action except upon a motion "to substitute the minority report for the report of the committee," which would be like any other motion to amend.

117. Committee of the Whole. The committee of the whole is simply a committee meeting of the whole body. It is of use chiefly in legislatures, and is not in order in any other organizations except by special rule of such organization. Its object is to consider a measure more fully and with less formality. Its decision amounts to an informal vote on the question at issue. Like other committees, it considers only what is referred to it by the assembly-at-large.

The assembly having voted to go into committee of the whole to consider a certain measure, or measures, a chairman is appointed by the presiding officer, or, in case of objection, elected by nomination and vote. The presiding officer of the assembly then leaves the chair and sits in the chair of the clerk, who takes another place. The presiding officer remains

in the assembly, in order to be ready to resume the chair when the committee rises, or to assume the chair and reassemble the assembly, in cases of great disorder.

The new chairman presides over the committee; the same clerk, or an assistant, acts as secretary, but makes no regular record, only memoranda to assist the chairman in making the report, which report goes upon the record of the assembly.

The committee of the whole cannot make rules for itself, nor are the rules of the assembly there in force, unless specially so voted; but the assembly can make any rule for the committee.

When any question of procedure is in doubt, the committee rises, the question is settled in assembly, and the meeting of the committee is then resumed. The quorum is the same as that of the assembly, unless a different quorum for the committee is decided upon by the assembly. If the time for the adjournment of the assembly has arrived and the committee has not completed its work, it rises, the assembly is called to order

by the presiding officer thereof, and the chairman of the committee reports "that the committee has made progress, and asks leave to sit again." Leave is granted, and the assembly adjourns.

Whenever the assembly sees fit, it can resolve itself into committee of the whole, and direct the committee what to consider.

118. Procedure in Committee of the Whole.
The measure upon which it has been voted in assembly "to go into committee of the whole" becomes the measure before the committee, and the basis of its action. If a motion had been made in assembly, this is before the committee; if not, a motion is then made there, and procedure follows as in assembly, with the exceptions noted in the next section. The referred measure is fully debated, amended if necessary, and put into the desired shape. The committee then rises, the chairman yields place to the presiding officer of the assembly, and proceeds to make a report of the action done. This report may be further considered and acted upon

(now under the regular restrictions), or it may be simply "adopted." The report may be the measure itself, which is thus reported back in its amended shape, or it may be any recommendation regarding that measure.

119. Limitations. The restrictions upon the committee of the whole are about the same as those laid upon any committee. Upon the measure referred, debate is unlimited, except by previous order of the assembly; and a motion to close or to limit debate, or for the previous question, is not admissible. The motions to table, to postpone and to postpone indefinitely, are also out of order; sub-committees cannot be formed, and the yeas and nays cannot be taken. A motion to reconsider the vote upon an amendment which had been voted upon in committee, would be in order, but, obviously, not the motion to reconsider the vote upon the main question. The same is true of the applicability of the question of withdrawal. Important questions of privilege affecting the dignity of the assembly or of its members are not in

order, but simple questions, such as the parliamentary inquiry and the question of no quorum, are admissible. The chair would be the judge, in cases of doubt. The committee votes to "rise," not to "adjourn."

120. Executive Sessions. When a legislature wishes to secure privacy from outside observers, it "goes into executive session." Such sessions are not necessary in other than legislative bodies, since any voluntary organization is at liberty to have any or all of its regular sessions private, by so voting, and all regular business sessions are "executive sessions." It is best to have one kind of business meeting, governed by certain prescribed parliamentary usages, and to do all the business under this same form.

CHAPTER XI

RECONSIDERATION

121. Object and Effect of Reconsideration. The general parliamentary principle is that after a question has been voted upon, that ques-

tion is settled. This is the rule in England; but in American procedure the question, after decision, may be reopened, by a reconsideration of the final vote upon it. The effect of the motion "to reconsider the vote," when carried, is to cancel the vote and to reopen the question for debate, for any further action, and for a second vote; its effect, when lost, is to reaffirm the vote, and so decide the matter finally. There can be no second reconsideration, except by unanimous consent. [75-77, 84, 86.]

122. Limitations. The motion to reconsider may be made at the same meeting, or at the one next succeeding that at which the vote was taken, but not later. If made at the same meeting, it can be settled at once, or it can be postponed to the next meeting, when it must come up, though it need not then be finally decided. This motion must be made by a member who voted with the "prevailing" side, or the side that won in the contest, affirmative or negative as the case may be. This rule, however, cannot be enforced when the vote was taken by ballot, as secrecy

would be violated thereby. When a vote has been taken by the roll-call, the "prevailing side" will appear recorded thereon; when by other methods, the chair will inquire if the member making the motion voted with the prevailing side (unless the member has so stated when making the motion), and if not, will declare such motion to be out of order. [79, 80, 83.]

The motion to reconsider is debatable, unless the question to be reconsidered were undebatable; it also reopens the main question for debate, that is, the debate upon the motion to reconsider may include a debate upon the motion to be reconsidered, the practice differing, in this respect, from that of the previous question. It is best to limit debate upon reconsideration by special rule, otherwise it is unlimited and subject to the same motions regarding debate as any other question.

This motion cannot be amended or committed; when applied to the main question it may be once postponed, but when applied to a dependent question it cannot be postponed; it may be

postponed indefinitely, unless the question was an undebatable one. The motion to reconsider the vote upon the *main question* may be laid on the table, and if this motion to table is carried, it disposes of the motion to reconsider.

123. Technical Reconsideration. As the refusal to reconsider a vote reaffirms such vote, it has become customary, especially in legislatures, to move a reconsideration immediately after the vote is taken, in order to prevent genuine reconsideration at a later time. This motion is made by a member of the side that prevailed, and it is promptly voted down by the adherents of that same side, who thus prevent the other side from the chance of getting further consideration and another vote. It is proper to make this motion after there has been long and free discussion of a measure, in full assembly; it would be unfair to use it under the opposite conditions. [78.]

124. Votes not Subject to Reconsideration. The vote upon any main question can be reconsidered, also the vote upon any amendment. If it is desired to reconsider an amendment

after the main question has passed, the vote upon the latter must first be reconsidered in order to open the way for action upon the former. So of any other subsidiary motions. As Mr. Reed says: "If the assembly desires to reconsider an act, it must retract in regular order all subsequent action which affects the act to be reconsidered."

The vote upon the following motions is not subject to reconsideration: to adjourn, to take a recess, to table when carried, to table when lost (unless done immediately), to take from the table, to commit (unless done before the committee has gone to work), to extend debate, to close or to limit debate (after the time fixed has expired), to suspend a rule, the withdrawal of a motion, to go into committee of the whole, to open or to close nominations, and to reconsider.

Other matters not open to reconsideration are the question of consideration (unless done before consideration begins), nominations and elections. Questions of privilege and of order are them-

selves not subject to reconsideration; but a motion arising out of these questions is subject to reconsideration, as to all other action.

125. The Motion to Rescind. Akin to the motion to reconsider, and often confounded therewith, is the motion to rescind. The object of this motion is to reverse action which was taken on some past occasion. It is obvious that with the strict limitations upon the motion to reconsider, it would not be parliamentary to interpose the motion to rescind in order to avoid these limitations. As Mr. Reed says: "The general rule of parliamentary proceedings is that when the assembly has come to a conclusion or decision, that result shall be regarded as final. This is necessary for the orderly action of the assembly itself. If what had once been decided could at all times be again opened by each member, there would be no end to confusion." Even the motion to reconsider is not allowed in the English Parliament, so strict is their adherence to this principle. In America, however, we allow this motion for the purposes of amend-

ment and further consideration, but surround it with the restrictions already noted, in order to secure that "orderly action of the assembly" of which Mr. Reed speaks.

On the other hand, it might occasionally happen that action taken in a voluntary organization might afterward be found inexpedient to carry into effect. The motion to reconsider might not have been made within the prescribed time, and it might have been found impossible, after repeated effort, to secure unanimous consent for a later reconsideration. In such a case, a motion to rescind could be made, provided final action thereon were not taken until notice of such intention to rescind had been given. Such motion could not be made during the time when it was in order to make the motion to reconsider, this being the proper parliamentary motion to make and the other being merely an expedient for emergencies. It may be said further, that action taken during one year, or periodical session, of an organization, may be reversed at any time during the next one; if

affirmative action, by the motion to rescind, and if negative action, by a renewal of the motion for the defeated measure. Even here, however, fairness would require that notice be given of the intention to rescind, or to renew, previous to the final decision of the question, in order that all concerned might be apprised of the fact. It is best to adopt a special rule requiring definite notice to all members.

The motion to rescind is debatable and subject to subsidiary action. In absence of a rule to the contrary, it requires the same vote as did the measure to which it refers, differing in this respect from the motion to reconsider, which always requires a majority, whether the decision of the measure required a majority or other than a majority. If the motion to rescind is decided in the affirmative, the action is rescinded, and the matter closed; there is no second vote, as in reconsideration. If decided in the negative, the former action is reaffirmed.

CHAPTER XII

SPECIAL RULES

126. Use of Special Rules. In the procedure of ordinary, and especially of small, assemblies, regular parliamentary usages, under the guidance of some accepted authority, are usually sufficient, without the addition of special rules. Such rules are useful chiefly in large assemblies, as supplementary to the organic law, their object being to provide for emergencies, and, especially, to prevent delays and to lessen the chances of factious manœuvres. A special rule may also be adopted to enforce or to offset a parliamentary usage which any given assembly may wish to employ in a particular form. A special rule on any point having been adopted, such rule governs the assembly upon the matter covered thereby, to the exclusion of any other authority. A rule is adopted by motion and majority vote, and it may be adopted for temporary or for permanent use.

127. Special Rules *vs.* Constitutions and By-

Laws. The term "special rules," strictly speaking, means only rules or regulations regarding methods of procedure. It does not refer to the constitution and by-laws, although, as a matter of fact, provisions which would be properly classed as rules are often included in these other instruments, and *vice versa*.

128. Suspension of Rules. A special rule may be suspended at any time and thus remain temporarily inoperative; but such suspension requires unanimous consent, unless it is otherwise provided by another special rule. A rule is suspended temporarily, not permanently, and while it is suspended, the procedure goes on as if there were no such rule, and until the object for which the rule was suspended is accomplished. This object should be stated when the motion to suspend is made, if there is any doubt, *i.e.*, "I move to suspend rule number — in order that —," etc.

It seems almost unnecessary to add that only such matters can be suspended as are capable of temporary suspension; any proposed permanent

change must go through the regular process of amendment. Also, that a parliamentary principle, or an item in the parliamentary manual, cannot be suspended.

An article in a constitution, or a by-law, relative to a method of procedure or to a matter of detail, *which is capable of being temporarily set aside*, may be suspended under the same conditions as a rule. For instance, the article regarding the hour or day of meeting could be suspended (for one meeting); but the articles regarding the object, or name, or quorum, or amendment, etc., could not be.

Provision may be made, by special rule, for suspension by other than unanimous consent, but this is not to be commended. It is better, having rules, to abide by them, except when all are agreed to setting them aside.

129. The Special Rules in this Manual. Adopting "Shattuck's Advanced Rules" as authority, adopts everything herein which precedes this section, but does not adopt any of the following "special rules." An organization which has

adopted this manual, and which may prefer any of these rules to the contradictory procedure in the body of the book, or may wish to supplement its parliamentary usage by any of the rules herein recommended, will pass a vote "that special rule number — be adopted by this organization." Such rule should then be put upon the record, and should be added to the written or printed list of any other special rules of its own which the society may have also adopted. A special rule governs, to the exclusion of the general usage, upon the matter to which it relates. Any of these rules, of course, can be amended to suit the needs of the society.

130. Supplementary Rules. The following rules are supplementary to the procedure in this manual, and are recommended for adoption, especially by large assemblies. Rules one and two it is necessary to adopt in order formally to complete the procedure to which they relate. Rules three to ten are commended as valuable supplements toward the protection of the rights of the members.

RULE I. ORDER OF BUSINESS

The order of business given in *section 26* of "Shattuck's Advanced Rules" shall be the order observed in this organization.

RULE II. LIMIT OF DEBATE

The debate upon the previous question and upon reconsideration shall not exceed (10) minutes, and upon these motions no member shall speak more than (2) minutes.

RULE III. LIMIT OF SPEECHES

In the discussion of any matter of business, no one person shall speak more than (5) minutes, and in the discussion of a lecture or paper, no one shall speak longer than (15) minutes, without unanimous consent.

RULE IV. POSTPONEMENT AND COMMITMENT

Upon the following motions the debate shall be limited to (10) minutes, and no one shall speak more than (2) minutes: to postpone, to commit, and to postpone indefinitely.

RULE V. THE ROLL-CALL

The motion for the yeas and nays shall prevail, if supported by (one-fifth) of the members present.

RULE VI. COMMITTEES

No member shall serve upon more than one special or standing committee at the same time; no officer shall serve upon the nominating committee.

RULE VII. DIRECTORS

The board of directors shall transact all such business as is covered by the stated objects of this organization; but they shall not have the power to expend its funds for purposes beyond its legitimate work, nor shall they have the power to commit the organization to the endorsement of any project not within the scope of its expressed objects. They shall report to the organization-at-large, in executive session, at least — a year, which report shall be open to approval or reversal, and they may, at any time, submit


any question to the approval and final vote of the organization-at-large.

All matters involving the expenditure of large sums of money shall be submitted to the organization for its approval. No assessments shall be laid without the consent of (three-fourths) of the members of the organization present and voting at a regular meeting, or a special meeting called for the purpose.

RULE VIII. RESCINDING AND RENEWAL OF MEASURES

Any affirmative action may be rescinded, or any defeated measure renewed, after the limit for reconsideration has expired, *provided* that previous notice of the proposed action is given to every member, and that a three-fourths vote is obtained upon the motion to rescind, or to renew.

An amendment to the constitution or by-laws, having been defeated, shall not again be offered during the same financial year of this organization.



RULE IX. THE RIGHT TO THE FLOOR

A member having been recognized, shall retain the right to the floor, in spite of interruptions, as long as the procedure continues to be in order.

RULE X. AMENDMENT OF RULES

These rules may be amended by a two-thirds vote of those present and voting, notice of the proposed amendment having been given at a previous meeting.

131. Contradictory Rules. The following rules contradict the procedure authorized in this book, and embody usages which are authorized by other writers upon parliamentary law. Any organization which prefers these usages to those given in this manual will adopt the rule which covers the point involved.

RULE XI. SECONDING OF MOTIONS

A motion shall not be stated by the chair until it has been regularly seconded; but the following matters shall not require a second: the question of consideration, the filling of a blank, to

divide, or to withdraw a motion, to take up the orders of the day, questions of privilege and of order, and the motion to read a paper which is under consideration.

RULE XII. ELECTIONS

The motion "that the secretary be empowered to cast one ballot" shall be admitted by unanimous consent; and, by unanimous consent, officers may be elected by acclamation.

RULE XIII. SUBSIDIARIES

The subsidiary questions shall have precedence in the following order:¹

First Rank. Question of consideration.

Second Rank. To lay on the table.

Third, and of Equal Rank.

To postpone.

To commit.

To postpone indefinitely.

For the previous question.

Fourth Rank. To amend.

¹ This is the order of precedence recommended in "Reed's Rules."

RULE XIV. THE PREVIOUS QUESTION

The previous question shall be undebatable and shall require a two-thirds vote. It shall apply only to the main question.

RULE XV. COMMITTEE OF THE WHOLE

The motion to go into committee of the whole shall take its place among the other incidental motions as a regular part of the procedure in this organization. The chairman shall be appointed by the presiding officer.

RULE XVI. THE FLOOR

There shall be no appeal from the chair's decision in giving the floor.

RULE XVII. RECONSIDERATION

The motion to reconsider may be made by any member, provided it is made at the same meeting at which the vote was passed, and before any member has left the meeting.

READY REFERENCE TABLE FOR PRESIDING OFFICERS

	Amended.	Committed.	Debated.	Divided.	Postponed.	Postponed indefinitely.	Prequestioned.	Reconsidered.	Tabled.	Unanimous consent required.	Withdrawn.	In order in committee of the whole.
Adjourn ¹	no	no	no	no	no	no	no	no	no	no	yes	no ¹¹
Amend	yes	no ³	yes	yes ⁴	no	no	yes	yes ²	no	no	yes	yes
Commit	no ⁵	no	yes	no ⁶	no	no	yes	yes ²	no	no	yes	no
Debate, to close	yes	no	no	no ⁶	no	no	no	no ⁵	no	no	yes	no ¹¹
Debate, to limit	yes	no	no	yes	no	no	no	no ⁵	no	no	yes	no ¹¹
Debate, to extend	yes	no	no	yes	no	yes ³	no	no	no	yes	yes	no ¹¹
Division of question	yes	no	no	no	no	no	no	yes	no	yes	yes	yes
Fix time for reassembling ¹	yes	no	no	no	no	no	no	yes	no	no	yes	no
Lay on the table	no	no	no	no	no	no	no	no ⁶	no	no	yes	no
Nominations, to open, or close	no	no	no	no	no	yes ³	no	no	no	no	yes	no
Postpone	yes	no	yes	no	no	no	yes	yes	no	no	yes	no
Postpone indefinitely	no	no	no	no	no	no	yes	yes	no	no	yes	no
Previous question	no	no	yes ⁷	no	no	no	no	yes	no	no	yes	no
Question of consideration	no	no	no ⁸	no	no	no	no	no ⁶	no	no	yes	no
Question of order ²	no	no	yes ⁸	no	no	no	no	no ⁶	no	no	yes	yes
Question of order: Appeal	no	no	yes ⁸	no	no ⁶	no ⁸	yes	yes	no ⁸	no	yes	yes

[illegible]

When privileged.

Motions arising out of these questions are open to all action.

³ See Sections 70-73 for exceptions.

⁴ See Section 93 for exceptions.

⁵ See Section 84 for exceptions.

⁶⁶ See Sections 122 and 124 for exceptions.

⁷ See Section 65 for exceptions.

⁸ See Sections 77-79 for exceptions.

⁹ See Section 57 for exceptions.

⁹ See Section 83 for exceptions.

¹ See Section 119 for exceptions.

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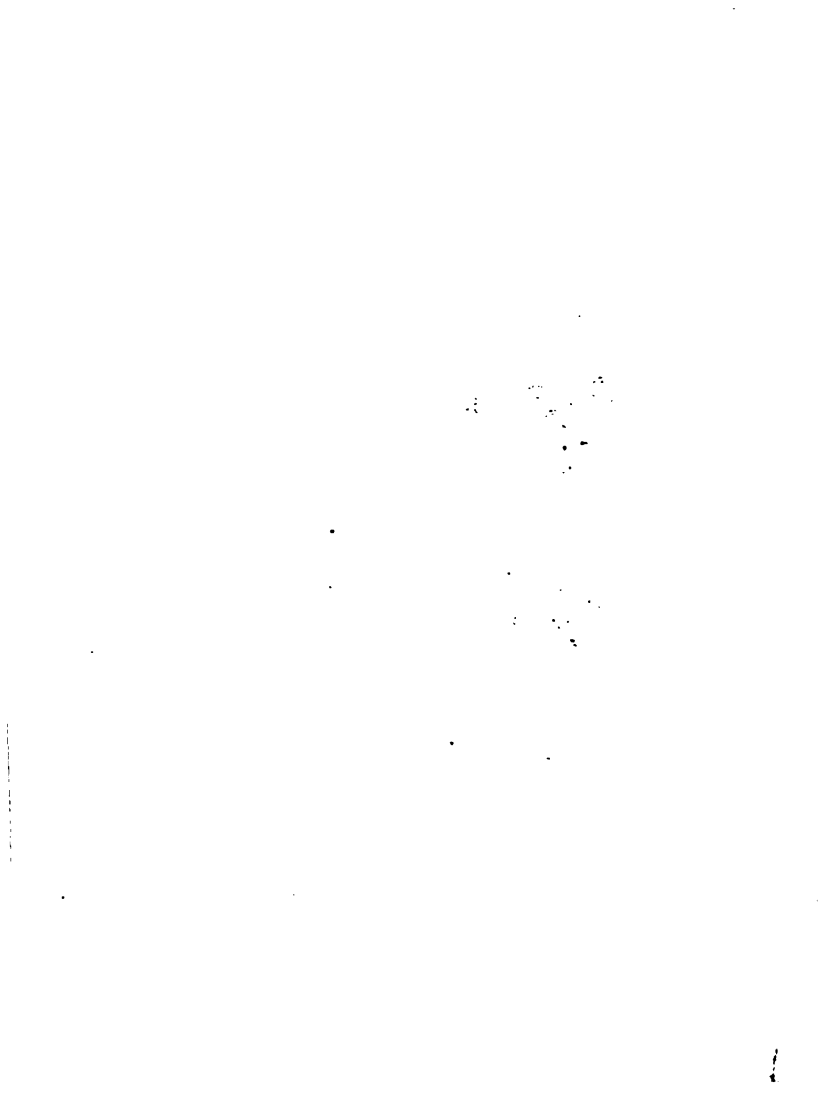
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